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Attorneys for Five Mile Capital SPE B, LLC

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:	:	Chapter 11
MSR RESORT GOLF COURSE LLC, *et al.*,	:	Case No. 11-10372 (SHL)
Debtors.	:	(Joint Administration Requested)

NOTICE OF APPEARANCE AND
REQUEST FOR SERVICE OF PAPERS

PLEASE TAKE NOTICE that Five Mile Capital SPE B, LLC, creditors and parties in interest under section 1109(b) of the Bankruptcy Code, hereby appear through their counsel Kasowitz, Benson, Torres & Friedman LLP. Such counsel hereby enters its appearance pursuant to Rule 9010(b) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules").

PLEASE TAKE FURTHER NOTICE that pursuant to Bankruptcy Rules 2002, 3017, and 9007, the undersigned requests that an entry be made on the Clerk's matrix, if any, in this case, and that copies of all notices and pleadings given or filed, in this case, be delivered to and served upon the persons set forth below:

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PLEASE TAKE FURTHER NOTICE that this request includes not only the notices and papers referred to in the Bankruptcy Rules specified above, but also includes, without limitation, all orders and notices of any application, motion, petition, pleading, request, complaint, or demand, and any statement of affairs, operating report, or schedule of assets and liabilities, whether formal or informal, whether written or oral, and whether transmitted or conveyed by mail, courier service, hand delivery, telephone, facsimile transmission, telegraph, telex, or otherwise that (1) affects or seeks to affect in any way any right or interest of any creditor or party in interest in this case, with respect to (a) the debtors, (b) property of the debtors' estates, or proceeds thereof, in which the debtors may claim an interest, or (c) property or proceeds thereof in possession, custody, or control of others that any of the debtors may seek to use; or (2) requires or seeks to require any act, delivery of any property, payment or other conduct by the undersigned.

PLEASE TAKE FURTHER NOTICE that neither this notice nor any later appearance, pleading, claim, or suit waives (1) the right to have final orders in noncore matters entered only after *de novo* review by a District Court Judge, (2) the right to trial by jury in any proceedings so triable in this case, controversy, or proceeding related to this case, (3) the right to have the

District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal, or (4) any other rights, claims, actions, defenses, setoffs or recoupments, under agreements, in law, in equity, or otherwise, including the right to contest the jurisdiction of the Bankruptcy Court over Five Mile Capital SPE B, LLC, all of which rights, claims, actions, defenses, setoffs and recoupments are expressly reserved.

Dated: February 1, 2011
New York, New York

By: /s/ Daniel A. Fliman
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